

REMARKS/ARGUMENTS**1. Claim Amendments**

The Applicant has amended claims 31 and 33 and claims 29 and 38 have been canceled. Applicant respectfully submits no new matter has been added. Accordingly, claims 24-28, 31-37 and 40-44 are pending in the application. Favorable reconsideration of the application is respectfully requested in view of the foregoing amendments and the following remarks.

2. Claim Rejections – 35 U.S.C. § 102(b)

Claims 29-32 stand rejected under 35 U.S.C. 102(b) as being anticipated by Lahtinen (US Patent No. 6,275,708). The Applicant has cancelled claim 29 rendering the rejection of that claim moot. The Applicant has amended claim 31 to better distinguish the claim from Lahtinen. Lahtinen fails to disclose all of the elements of the present invention. In particular, Lahtinen does not disclose the step of determining ongoing paging transactions nor does it disclose using two distinct paging related events for incrementing and for decrementing the number of ongoing paging transactions in at least one counter. Column 4, lines 47-59 of Lahtinen refers to multiple call timers that measure calls, not paging instructions:

In other embodiments of the method the call counter can also count in the opposite direction as compared with the above downward counting counter. The initial set value of the call counter and the threshold value have to be set properly, e.g. by exchanging the numerical values of the initial set value and the threshold value of the embodiment of FIG. 3. When an upward counting counter is used, the counter value is increased by a call step before the call is initiated and the call counter is decreased by a call step when the call timer reaches a predetermined timer threshold value. The call step value must be chosen so that the call counter threshold value set will be reached by this call step with sufficient call load.

The duration of a call measured by a call timer (counter) is not equivalent to a paging transaction counter. [A] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior

art reference. *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). The identical invention must be shown in as complete detail as is contained in the ... claim. *Richardson v. Suzuki Motor Co.*, 868 2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). Anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, arranged as in the claim. *Lindemann Maschinenfabrik GMBH v. American Hoist and Derrick Co.*, 730 F.2d 1452, 1458 (Fed. Cir. 1984).

Claim 30 depends from amended claim 31 and recites further limitations in combination with the novel elements of claim 31. Therefore, the allowance of claims 30-31 is respectfully requested.

3. Claim Rejections – 35 U.S.C. § 103 (a)

Claims 24, 34 and 36-37 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Lahtinen (US Patent No. 6,275,708) in view of Joensuu, *et al.* (GB 2,350,918) and Sheynblat, *et al.* (US Publication No. 2002/0171581). As noted above, Applicant has amended claim 31 to better define the intended scope of the claimed invention. Joensuu and Sheynblat fail to overcome the deficiency of Lahtinen.

Claims 24, 34 and 36-37 depend from amended claim 31 and recite further limitations in combination with the novel elements of claim 31. Therefore, the allowance of claims 24, 34 and 36-37 is respectfully requested.

Claims 25-28 and 35 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Lahtinen (US Patent No. 6,275,708), Joensuu, *et al.* (GB 2,350,918) and Sheynblat, *et al.* (US Publication No. 2002/0171581) as applied to claims 24 and 34, and further in view of Muhonen (US Publication No. 2006/0128395). As noted above, Applicant has amended claim 31 to better define the intended scope of the claimed invention. Joensuu, Sheynblat and Muhonen fail to overcome the deficiency of Lahtinen.

Claims 33, 38 and 40-44 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Lahtinen (US Patent No. 6,275,708). The Applicant has cancelled claim 38 rendering the rejection of that claim moot. The Applicant has amended claim

33 to better distinguish the claim from Lahtinen. Lathinen fails to disclose all of the elements of the present invention. In particular, Lathinen does not disclose a control node having at least one counter indicative of the number of ongoing transactions, the at least one counter being incremented when a paging request is accepted for processing by the control node and being decremented when a paging response has been returned by the mobile station. The Examiner fails to indicate in the Office Action where Lathinen discloses the foregoing element.

[A] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). The identical invention must be shown in as complete detail as is contained in the ... claim. *Richardson v. Suzuki Motor Co.*, 868 2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). Anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, arranged as in the claim. *Lindemann Maschinenfabrik GMBH v. American Hoist and Derrick Co.*, 730 F.2d 1452, 1458 (Fed. Cir. 1984).

Claims 40-44 depend from amended claim 33 and recites further limitations in combination with the novel elements of claim 33. Therefore, the allowance of claims 38 and 40-44 is respectfully requested.

CONCLUSION

In view of the foregoing remarks, the Applicant believes all of the claims currently pending in the Application to be in a condition for allowance. The Applicant, therefore, respectfully requests that the Examiner withdraw all rejections and issue a Notice of Allowance for all pending claims.

The Applicant requests a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,

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